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**IN THE CIRCUIT COURT OF CRAWFORD COUNTY, ARKANSAS
CIVIL DIVISION**

FAWN RENEE BROWN

PLAINTIFF

VS.

NO. 17CV-2020-_____

**AMERICAN FURNITURE WAREHOUSE CO.
and KEITH D. JOHNSON**

DEFENDANTS

COMPLAINT

Comes now the Plaintiff, Fawn Renee Brown (herein "Fawn Brown"), by and through her undersigned attorney, and for her cause of action against the Defendants, American Furniture Warehouse Co. and Keith D. Johnson, (herein "Keith Johnson") states and alleges:

1. The Plaintiff, Fawn Brown, is presently a resident and citizen of the State of Arkansas residing in Crawford County, Arkansas. This cause of action arises from a motor vehicle collision in Crawford County, Arkansas involving a motor vehicle driven by Keith D. Johnson, who was acting within the scope of his authority or employment as an agent or employee of American Furniture Warehouse Co. As such, venue lies properly herein and this Court has jurisdiction over the parties and subject matter hereto.

2. American Furniture Warehouse Co. is a foreign corporation with its principal place of business at 8820 American Way, Englewood, CO 80112. Its registered agent for service of process is Jacob Jabs, 8820 American Way, Englewood, CO 80112.

3. This cause of action occurred as the Plaintiff and Defendant were traveling on westbound on Interstate 40 in Crawford County, Arkansas. Plaintiff was driving a 2011 Mazda 3. Defendant Keith Johnson was driving a 2016 International Harvester Navistar (a semi tractor and trailer) owned by American Furniture Warehouse Co.

4. Plaintiff was in the outside westbound lane of traffic on Interstate 40 in Crawford County, Arkansas at the time of Defendant Keith Johnson's reckless and negligent actions set forth below. Defendant Keith Johnson was in the inside westbound lane of Interstate 40 near or just behind the Plaintiff's vehicle at the same time.

5. Separate Defendant Keith Johnson was either asleep, distracted, or attempted for no reason to make a lane change from the inside lane to the outside lane of Interstate 40 that the Plaintiff was occupying. Defendant Keith Johnson's vehicle then struck the Plaintiff's vehicle causing both parties to lose control of their vehicles. Defendant Keith Johnson collided with the Plaintiff's vehicle causing her damages to her vehicle and injuries for which she has sought treatment for and will continue to seek treatment for the duration of her life. The crash caused Plaintiff to spin around multiple times, and to cross the median of Interstate 40, and become involved in another crash with a vehicle going eastbound on Interstate 40.

6. The driver of the vehicle going eastbound on Interstate 40 was not at fault. If Defendants claim such driver is at fault, they are demanded to comply with the Arkansas Rules of Civil Procedure and statutes regarding designation of non-party fault.

7. The Separate Defendant, Keith Johnson, was negligent in the operation of his vehicle by failing to yield the right of way to the vehicle having the superior right to the use of the roadway, by driving in a careless and prohibited manner, by making an

improper lane change, by failing to pay attention to his circumstances and surroundings, by driving in a distracted manner, and in other ways, perhaps being asleep.

8. As the proximate and actual cause and result of the Defendants' negligence, the Plaintiff, Fawn Brown, was caused to incur serious personal injury, which may be permanent in nature, pain and suffering (past and future), emotional harm (past and future), loss of income and/or loss of earning capacity, property damage, loss of use of her vehicle which is used for employment, and other damages, all in an amount in excess of the minimum amount necessary to confer jurisdiction upon the United States District Court in a diversity of citizenship case.

WHEREFORE, the Plaintiff, Fawn Brown, prays judgment against the Defendants, Keith Johnson and American Furniture Warehouse Co., jointly and severally, in the sum and amount that the proof presented at the trial of this matter warrants and in an amount in excess of the minimum amount necessary to confer jurisdiction upon the United States District Court in a diversity of citizenship case, for her costs, for attorney fees to the extent permitted by law, and for such other relief as is just and proper.

FAWN BROWN, Plaintiff

A handwritten signature in black ink, appearing to read "Sam Sexton III".

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